



ANALYSIS

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1985, No.6

An Act to amend the Air Services Licencing Act 1984

(26 July 1985)

BE IT ENACTED by the Parliament of the Cook Islands in Session assembled, and by the authority of the same, as follows:

1. Short Title and commencement - (1) This Act may be cited as the Air Services Licencing Amendment Act 1985 and shall be read together with and deemed part of the Air Services Licencing Act 1984 (herein after called the 'principal Act').

(2) This Act shall come into force on a date to be appointed by the Minister by notice in the Gazette.

2. Interpretation - Section 2 of the principal Act is amended as follows:

- (a) By repealing the definition of "Air service" and substituting the following definition:

"'Air Service' means any service provided by means of an aircraft for the carriage of passengers or goods being-

- (a) any journey beginning and ending in the Cook Islands without any intermediate stop outside the Cook Islands whether or not the aircraft leaves and returns to the same airport without any intermediate stop; or
- (b) a series of journeys for remuneration which are undertaken between the same two places, at least one of which is outside the Cook Islands, and which together amount to a systematic service operated in such a manner that the benefits thereof are available to members of the public from time to time seeking to take advantage of them;"
- (b) By repealing the definition of "Air transport service";
- (c) By repealing the definition of "Secretary".

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3. Application for licence - Section 5 of the principal Act is amended:

- (a) By omitting the word "Secretary" from subsection (1) and substituting the words "Minister or such other person as the Minister may direct";
- (b) By omitting the word "Secretary" from subsection (2) and substituting the words "Minister or such person designated pursuant to subsection (1)".

4. Public notice to be given of application - Section 6(1) of the principal Act is amended by deleting the number "21" and substituting the number "10".

5. Licence may be granted subject to conditions - Section 8 of the principal Act is amended as follows:

- (a) By deleting in subsection (1) the word "perscribe" and substituting the word "prescribe";
- (b) By repealing subsection (2) and substituting the following subsection:

"(2) It shall be a condition of every licence issued under this Act that the provisions of the Civil Aviation Act 1985 and regulations made thereunder shall be complied with at all times during the currency of such licence."
- (c) By inserting after subsection (2) as inserted by paragraph (b) of this section the following subsection:

"(3) A licence shall be in such form as the Minister thinks fit."

6. Register of licences - Section 11 of the principal Act is amended by deleting the word "Secretary" wherever it appears and substituting the word "Minister".

7. Renewal of licence - Section 14 of the principal Act is amended by deleting-

- (a) from subsection (3) the number "21" and substituting the number "10";
- (b) from subsection (4) the number "8" and substituting the number "7".

8. Transitional - Nothing in this Act shall without more, affect any air service licence in respect of air services to, from or through the Cook Islands; in force at the commencement of this Act.

This Act is administered by the Department of Trade, Labour and Transport.